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10/671,341	09/25/2003	Stephen A. Baum	P-26,015 US1	7066
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SYNNESTVEDT & LECHNER, LLP			CELSA, BENNETT M	
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1101 MARKET STREET			1639	
PHILADELPHIA, PA 191072950			DATE MAILED: 04/21/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/671,341	BAUM, STEPHEN A.
	Examiner	Art Unit
	Bennett Celsa	1639

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 10 January 2005.  
 2a) This action is FINAL.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 46-65 is/are pending in the application.  
 4a) Of the above claim(s) 59 and 63-65 is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 46-58 and 60-62 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

**DETAILED ACTION**

***Status of the Claims***

Claims 46-65 are currently pending.

Claims 59 and 63-65 are withdrawn from consideration.

Claims 46-58 and 60-62 are under consideration.

***Election/Restrictions***

1. Applicant's election of a "rack having a plurality of rods sized to be inserted through an aperture formed in each support" (e.g. 1<sup>st</sup> support transfer device of claims 52 and 53); and polypropylene spheres as the solid support in the reply filed on 1/10/05 which is asserted to read on claims 46-58 and 60-65 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)). It is noted that claims 63-65 do not read on the elected invention since these claims address "the transfer block" which is present in the 3<sup>rd</sup> support transfer device; but not the elected invention.

2. Claims 59 and 63-65 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention.

***Oath/Declaration***

3. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

It was not executed in accordance with either 37 CFR 1.66 or 1.68. The declaration lists "David D. Stein" as an inventor, without his signature. In this regard, it is noted that the "Application Data Sheet" fails to indicate "David D. Stein" as an inventor. Applicant must reconcile the conflict of the Declaration and Application Data Sheet.

***Preliminary Amendment dated 9/25/03***

***Specification***

4. The disclosure is objected to because of the following informalities: the Preliminary Amendment *improperly* provides a "cross reference" and "incorporation by reference" of the present application as a divisional of **09/277,909**. Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

5. Claims 57 and 60 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. (NEW MATTER REJECTION).

a. In claim 57, the Examiner was unable to locate specification support for "disks" nor did applicant (e.g. in the Preliminary Amendment) point to where specification support is present.

b. In claim 60, the Examiner was unable to locate specification support for the phrase “a mechanism to keep the supports immersed in a liquid” nor does applicant (e.g. in the Preliminary Amendment) point to where specification support is present.

It is noted that the Preliminary Amendment though filed with the Declaration, nevertheless is not original subject matter since the Declaration fails to make reference to the filed Preliminary Amendment.

6. Claims 46-51 and 54-58 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention (WRITTEN DESCRIPTION REJECTION).

It is first noted that written description is legally distinct from enablement: “Although the two concepts of are entwined, they are distinct and each is evaluated under separate legal criteria. The written description requirement, a question of fact, ensures the that the inventor conveys to others that he or she had possession of the claimed invention; whereas, the enablement requirement, a question of law, ensures that the inventor conveys to others how to make and use the claimed invention.” See 1242 OG 169 (January 30, 2001) citing *University of California v. Eli Lilly & Co.*

With regard to the description requirement, Applicants' attention is directed to The Court of Appeals for the Federal Circuit which held that a “written description of an invention involving a chemical genus, like a description of a chemical species, ‘requires a precise

definition, such as by structure, formula [or] chemical name,’ of the claimed subject matter sufficient to distinguish it from other materials.” *University of California v. Eli Lilly and Co.*, 43 USPQ2d 1398, 1405 (1997), quoting *Fiers v. Revel*, 25 USPQ2d 1601, 1606 (Fed. Cir. 1993) (bracketed material in original)[The claims at issue in *University of California v. Eli Lilly* defined the invention by function of the claimed DNA (encoding insulin)].

Presently, the claimed invention broadly encompasses the use of any “support transfer device” to place or remove a plurality of supports arranged in a 3D array for performing parallel syntheses. However, the specification merely describes three (3) different devices for achieving the placement and/or removal of supports in a 3D array (e.g. stacked plates).

Providing three (3) devices for achieving placement/removal of solid supports in a parallel syntheses 3D array is not representative of a generic encompassing every conceivable apparatus e.g. the full breadth of placement/removal devices as currently claimed.

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

8. Claims 46-58 and 60-62 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a. In claims 46 (and claims dependent thereon), the term “3D array” and “3D diversity”, is indefinite. These terms are not defined in either the specification or the claims. It is

unclear as to what parameters (e.g. apparatus, support, oligomers etc.) must be present in three dimensions; nor is it entirely clear what dimensions are being referred to.

Clarification is respectfully requested.

b. In claims 47, 51, 55 (and claims dependent thereon), the term "R1 group member" is indefinite since the variable "R1" is not defined in the claim.

#### ***Double Patenting***

9. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

10. Claims 46-49, 51 and 54-58 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-12 of U.S. Patent No. 6,541,211. Although the conflicting claims are not identical, they are not patentably distinct from each other because the patent claims teach stacked (e.g. in a Z direction) a plurality of 2-D frames (e.g. a plurality of planes) forming a 3D array and the placement of supports with building blocks therein (e.g. functionalized supports with attached R1 groups) for parallel syntheses of combinatorial libraries. The patent claims teach spherical polypropylene supports (e.g. lanterns. Gears) within the scope of the

present invention. Additionally, the supports are removable while retaining spacial addresses (e.g. see patent claim 3). Devices for achieving the claimed placement and removal of solid supports while retaining spacial addresses are described, said devices being within the scope of the presently claimed invention. See e.g. fig. 4-7.

***Claim Rejections - 35 USC § 102***

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

- (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.
- (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

12. Claims 46-47, 50, 51 and 55-58 are rejected under 35 U.S.C. 102(e) as being anticipated by Campbell et al. US Pat. No. 6,083,682 (7/00: filed 12/97).

The presently claimed invention is directed to a method comprising:

a) functionalizing a plurality of supports;

b) placing the supports in a 3D array; and

c) performing parallel syntheses of a library of molecules in the 3D array of supports with 3D diversity. See claim 46.

Campbell et al. disclose a system for parallel syntheses of a combinatorial library comprising a 3D array of aligned solid phase supports with a channel in fluid communication which are comprised of stackable middle plates (e.g. 2-D frames) with a plurality of reaction zones (e.g. functionalized /derivatized solid supports graft copolymers of poly/ethylene or propylene etc: see col. 12: ) attached to said frames (e.g. see bottom of col. 2; col. 6; bottom of col. 19-col. 20, which includes sheets and resin beads). See e.g. see col. Col. 4; figures 1-15 and patent claims. The solid supports (e.g. sheets or resin beads) abut each other and are adapted to being coupled together (e.g. indeed may be stacked). The supports (e.g.polypropylene: including membranes or sheets/beads or sphereres : see col. 12-13) are functionalized with the further attachment of one (e.g. R1) or more monomers before placement of the support in the apparatus (e.g. see bottom of col. 4; col. 9, especially lines 45-55: " solid support which is preferably prederivatized ..." ; col. 12; col 17, especially lines 33-41: "The supports 36 are preferably each provided with an initial building block (e.g. "R1") derivatized thereon before they are placed in the reaction vessels" ). The reference

teaches that the derivatized supports in the 3D array may possess columns having uniquely R1 (initial monomer) members. See e.g. col. 4, especially lines 28-67, especially lines 54-65). Additionally, the Campbell reference discloses reaction zones in 3D (e.g. length/width height) to form a column (e.g. see col. 3, lines 1-15) of reaction zones containing a single support (or multiple supports) within each cylindrical member (38) (e.g. a well). It is noted that the wells contain reaction zones which are in the shape of a trough or are cylindrical (e.g. see figures e.g. 4, 5, 7 and 9) and the plurality of 3D stacked solid supports are contained within a plurality of reactors which are sized to allow complete immersion in a reagent (e.g. see fig. 4: reaction vessel 30; solid support 36; and col. 10). Following syntheses, the synthesized compounds are cleaved from the solid supports (e.g. see col. 18, especially lines 24-45).

***Claim Rejections - 35 USC § 103***

13. Claims 46-47, 49-51 and 54-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Campbell US Pat. No. 6,083,682 (7/00: filed 12/97) and Hudson US Pat. No. 5,585,275 (12/96).

The presently claimed invention is directed to a method comprising:

- a) functionalizing a plurality of supports;
- b) placing the supports in a 3D array; and
- c) performing parallel syntheses of a library of molecules in the 3D array of supports with 3D diversity. See claim 46.

Claim 49 further claims a “support transfer device” for “removing the plurality of supports.

Claim 54 further requires that the “support transfer device” remove the supports one Z plane at at time.

Campbell et al. disclose a system for parallel syntheses of a combinatorial library comprising a 3D array of aligned solid phase supports with a channel in fluid communication which are comprised of stackable middle plates (e.g. 2-D frames) with a plurality of reaction zones (e.g. functionalized /derivatized solid supports graft copolymers of poly/ethylene or propylene etc: see col. 12: ) attached to said frames (e.g. see bottom of col. 2; col. 6; bottom of col. 19-col. 20, which includes sheets and resin beads). See e.g. see col. Col. 4; figures 1-15 and patent claims. The solid supports (e.g. sheets or resin beads) abut each other and are adapted to being coupled together (e.g. indeed may be stacked). The supports (e.g.polypropylene: including membranes or sheets/beads or sphreres : see col. 12-13) are functionalized with the further attachment of one or more monomers before placement of the support in the apparatus (e.g. see bottom of col. 4; col. 9, especially lines 45-55: “ solid support which is preferably prederivatized …” ; col. 12; col 17, especially lines 33-41: “The supports 36 are preferably each provided with an initial building block (e.g. “R1”) derivatized thereon before they are placed in the reaction vessels” ). The reference teaches that the derivatized supports in the 3D array may possess columns having uniquely R1 (initial monomer) members. See e.g. col. 4, especially lines 28-67, especially lines 54-65). Additionally, the Campbell reference disclosed reaction zones in 3D (e.g. length/width height) form a column (e.g. see col. 3, lines 1-15) of reaction zones containing a single support (or multiple supports) within each cylindrical member (38) (e.g. a well). It is

noted that the wells contain reaction zones which are in the shape of a trough or are cylindrical (e.g. see figures e.g. 4, 5, 7 and 9) and the plurality of 3D stacked solid supports are contained within a plurality of reactors which are sized to allow complete immersion in a reagent (e.g. see fig. 4: reaction vessel 30; solid support 36; and col. 10). Following syntheses, the synthesized compounds are cleaved from the solid supports (e.g. see col. 18, especially lines 24-45).

The Campbell method differs from the presently claimed invention by failing to explicitly teach:

- a. "A support transfer device" for "removing the plurality of supports (Clm 49); and.
- b. That the "support transfer device" remove the supports one Z plane at at tim (Clm 54).

With respect to removal of the solid supports from the 3D Campbell system the Campbell reference (E.g. see col. 18, especially lines 24-50) teaches the separation of the (X/Y) planes containing the solid supports (e.g. disassembling the individual plates) wherein the portions of membrane (e.g. disks) corresponding to the reaction zones may be "punched out" from the sheets, and placed in individual vessels without teaching a device for doing so.

However, the Hudson reference teaches a multi-framed apparatus for combinatorial syntheses which utilizes the use of "winks" or "discs" (e.g. porous polyolefin discs no. 50: see figures 8a and 8b) which are "friction fitted" (e.g. "press- fit") and temporarily attached in aligned holes of the apparatus frame permitting ease of placement or removal of the substrate from the apparatus, without disassembly, using a device to pop out the substrate along the Z-axis including a dowel, a Q-tip or the use of a comb-like

pusher for the simultaneous removal of multiple supports. See e.g. Hudson figures, especially figures 1, 3, 6, 7, 8a, 8b; col. 7 (especially lines 6-32); col. 15-col. 16 (especially lines 10-42); col. 17 (especially lines 40-55).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to substitute the modified Hudson friction fit (e.g. press-fit) disc for the Campbell reference disc and/or to utilize the Hudson punching devices in the Campbell reference method in order to permit easier disc separation as taught by Hudson which would also serve to prevent unnecessary disassembly of the Campbell apparatus in order to remove the solid supports; thus advantageously simplifying solid support removal and promoting the reusability of the Campbell apparatus.

14. Claims 46-48, 49-51 and 54-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Campbell US Pat. No. 6,083,682 (7/00: filed 12/97) in view of Nova et al. US Pat. No. 5,961,923 (10/99: filed 9/96 or earlier), Moran et al. WO 97/35198 (9/97: filed 3/96) or Lebl et al. US Pat. No 6,045,755 (4/00: filed 3/97).

The presently claimed invention is directed to a method comprising:

- a) functionalizing a plurality of supports;
- b) placing the supports in a 3D array; and
- c) performing parallel syntheses of a library of molecules in the 3D array of supports with 3D diversity. See claim 46.

Claim 48 further claims a "support transfer device" for placing the supports in the 3D array.

Claim 49 further claims a "support transfer device" for "removing the plurality of supports.

Claim 54 further requires that the “support transfer device” remove the supports one Z plane at at time.

Campbell et al. disclose a system for parallel syntheses of a combinatorial library comprising a 3D array of aligned solid phase supports with a channel in fluid communication which are comprised of stackable middle plates (e.g. 2-D frames) with a plurality of reaction zones (e.g. functionalized /derivatized solid supports graft copolymers of poly/ethylene or propylene etc: see col. 12: ) attached to said frames (e.g. see bottom of col. 2; col. 6; bottom of col. 19-col. 20, which includes sheets and resin beads). See e.g. see col. Col. 4; figures 1-15 and patent claims. The solid supports (e.g. sheets or resin beads) abut each other and are adapted to being coupled together (e.g. indeed may be stacked). The supports (e.g.polypropylene: including membranes or sheets/beads or sphereres : see col. 12-13) are functionalized with the further attachment of one or more monomers before placement of the support in the apparatus (e.g. see bottom of col. 4; col. 9, especially lines 45-55: “ solid support which is preferably prederivatized …” ; col. 12; col 17, especially lines 33-41: “The supports 36 are preferably each provided with an initial building block (e.g. “R1”) derivatized thereon before they are placed in the reaction vessels” ). The reference teaches that the derivatized supports in the 3D array may possess columns having uniquely R1 (initial monomer) members. See e.g. col. 4, especially lines 28-67, especially lines 54-65). Additionally, the Campbell reference disclosed reaction zones in 3D (e.g. length/width height) form a column (e.g. see col. 3, lines 1-15) of reaction zones containing a single support (or multiple supports) within each cylindrical member (38) (e.g. a well). It is

noted that the wells contain reaction zones which are in the shape of a trough or are cylindrical (e.g. see figures e.g. 4, 5, 7 and 9) and the plurality of 3D stacked solid supports are contained within a plurality of reactors which are sized to allow complete immersion in a reagent (e.g. see fig. 4: reaction vessel 30; solid support 36; and col. 10). Following syntheses, the synthesized compounds are cleaved from the solid supports (e.g. see col. 18, especially lines 24-45).

The Campbell method differs from the presently claimed invention by failing to explicitly teach:

- a. "A support transfer device" for placing the supports in the 3D array (Clm 48);
- b. "A support transfer device" for removing the plurality of supports (Clm 49); and.
- c. That the "support transfer device" removing the supports one Z plane at a time (Clm 54).

Support (e.g. polymeric i.e. polypropylene; of different shapes i.e. beads etc.) transfer devices (e.g. including automated) for placing and/or removal of the supports from in parallel synthetic array system (e.g. while retaining spatial addresses) for achieving high throughput syntheses/screening were known in the art.

Nova et al. disclose devices (e.g. including funnels: i.e. see figures, especially figures 6-9; 11-13) for removal/placement of solid supports (e.g. col. 11-12: MICROBALLS; MICROTUBES; col. 24; col. 44 especially tagged: ie. Col. 61-62) into/from a parallel syntheses apparatus.

Moran et al. disclose a method of performing parallel spatially addressable syntheses in which the supports (e.g. polyethylene crowns) are arranged (e.g. placed) and removed (e.g. redistributed) in a manner between a series of arrays in order to maintain the physical location

(e.g. spatial address) via carrier devices which are automatable (see pages 9-17 ; examples; claims).

Lebl et al. teach an integrated robotic apparatus for parallel spatially addressable high throughput 2D/3D (e.g. stacked support) syntheses. Various automated devices (e.g. storage vessels, pumps and multiple tips) for dispensing solid supports onto the synthetic 2D/3D apparatus and devices (e.g. gripper tools) for removing solid supports from the synthetic apparatus are taught. See figures, especially figures, especially figures 1-9, 11; col. 5-7; col. 10-37; examples; patent claims

One of ordinary skill in the art at the time of applicant's invention would have been motivated to utilize conventionally available Nova/Moran/Lebl support transfer devices in the Campbell et al. reference method since these conventional devices address parallel syntheses as in the Campbell reference and would further lead to improved high-throughput syntheses/screening and/or ease of support transfer, especially when automated.

Accordingly, it would have been *prima facie* obvious to one of ordinary skill in the art at the time of applicant's invention to utilize the Nova/Moran/Lebl support transfer devices in the Campbell reference method and arrive at the presently claimed invention.

***Future Correspondences:***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bennett Celsa whose telephone number is 571-272-0807. The examiner can normally be reached on 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Wang can be reached on 571-272-0811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bennett Celsa  
Primary Examiner  
Art Unit 1639

BC  
April 14, 2005

